

MICHAEL A. JACOBS (CA SBN 111664)
MJacobs@mofo.com
ARTURO J. GONZÁLEZ (CA SBN 121490)
AGonzález@mofo.com
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
Tel: 415.268.7000 / Fax: 415.268.7522

KAREN L. DUNN (*Pro Hac Vice*)
kdunn@bsfllp.com
HAMISH P.M. HUME (*Pro Hac Vice*)
hhume@bsfllp.com
BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
Washington DC 20005
Tel: 202.237.2727 / Fax: 202.237.6131

WILLIAM CARMODY (*Pro Hac Vice*)
bcarmody@susmangodfrey.com
SHAWN RABIN (*Pro Hac Vice*)
srabin@susmangodfrey.com
SUSMAN GODFREY
1301 Avenue of the Americas, 32nd Floor
New York, NY 10019-6023
Tel: 212.336.8330 / Fax: 212.336.8340

Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE
YANG IN SUPPORT OF PLAINTIFF
WAYMO LLC'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL ITS
SUBMISSION IN RESPONSE TO THE
COURT'S ORDER REQUIRING
FURTHER RESPONSE RE UNJUST
ENRICHMENT (DKT. 2406)**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
3 declaration based upon matters within my own personal knowledge and if called as a witness,
4 I could and would competently testify to the matters set forth herein. I make this declaration in
5 support of Plaintiff Waymo LLC's Administrative Motion to File Under Seal Its Submission in
6 Response to the Court's Order Requiring Further Response re: Unjust Enrichment Damages
7 ("Submission") (Dkt. 2406).

8 2. I have reviewed the following documents and confirmed that only the portions
9 identified below merit sealing:

Document	Portions to Be Filed Under Seal
Exhibit 1	Red boxes
Exhibit 2	Red box

14 3. The red boxes of Exhibit 1 contain highly confidential information regarding
15 Uber's business strategy, internal market evaluations, potential cost models, future production
16 estimates, and estimated development timelines. It also contains highly confidential information
17 regarding third-party vendors with business agreements subject to NDAs, including pricing
18 information. This information is not publicly known, and its confidentiality is strictly maintained.
19 I understand that disclosure of this information would give competitors knowledge into elements
20 of Uber's business strategy, financial estimates regarding various elements of Uber's business,
21 and confidential vendors. Uber's competitive standing could be significantly harmed.

22 4. The red box of Exhibit 2 contains highly confidential information regarding a
23 potential cost model for a LiDAR. This information is not publicly known, and its confidentiality
24 is strictly maintained. I understand that disclosure of this information would give competitors
25 knowledge into elements of the potential cost model for LiDAR that was considered by Uber for
26 one of its LiDAR designs, and Uber's competitive standing could be significantly harmed.

27 5. Defendants' request to seal is narrowly tailored to the portions of exhibits to
28 Waymo's Submission that merit sealing.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed this 21st
2 day of December, 2017 at Washington, District of Columbia.

3
4 /s/ Michelle Yang

Michelle Yang